

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence is being filed electronically with the U.S. Patent and Trademark Office on the below date:

Date: January 28, 2010 Name: Heidi A. Darr, Reg. No. 50,775 Signature: Heidi A. Darr

**BRINKS
HOFER
GILSON
& LIONE**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: **Matthew P. Carter et al.**

Appln. No.: **10/728,589**

Filed: **December 4, 2003**

For: **BILIARY STENT INTRODUCER SYSTEM**

Attorney Docket No: **10000-218**

Examiner: **Melanie Ruano
Tyson**

Art Unit: **3773**

Confirmation No.: **8981**

Mail Stop RCE
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (37 CFR § 1.114)

Sir:

Applicants request continued examination of the above-identified application under 37 CFR §1.114.

☒ Submission under 37 CFR 1.114 (*check at least one of the following*):

☐ Previously submitted:

- ☐ Applicant(s) requests nonentry of any previously-filed unentered amendments.
- ☐ Please enter and consider the Amendment After Final Under 37 CFR §1.116 previously filed on ____.
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on ____.
- ☐ Other: ____.

☒ Attached is/are:

- ☐ An Information Disclosure Statement
- ☒ An Amendment to the written description, claims, or drawings
- ☐ New Arguments and/or New Evidence in support of Patentability
- ☐ Other: ____

☐ Request for suspension of action:

Applicant(s) hereby requests suspension of action on the above-identified application under 37 CFR §1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; requires Processing Fee under 37 CFR §1.17(i)).

☐ Small Entity Status:

☐ Applicant(s) hereby asserts entitlement to claim small entity status under 37 CFR §§ 1.9 and 1.27.

☐ A small entity statement or assertion of entitlement to claim small entity status was filed in prior application no. _____ and such status is still proper and desired.

☐ Is no longer desired.

☒ Applicants calculate the following fees to be due in connection with this Request:

☒ A request fee of \$810.00 under 37 CFR §1.17(e).

☐ A suspension processing fee of \$_____ under 37 CFR §1.17(i).

☐ An additional filing fee of \$_____ under 37 CFR §1.16 (_____ additional independent claims and/or _____ additional total claims).

☒ An extension fee of \$1,110.00 under 37 CFR §1.17(a) for a three-month extension of time.

☒ Fee payment to cover the above-enumerated fee(s):

☒ Please charge Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE) in the amounts of \$810.00 for the Request for Continued Examination fee and \$1,110.00 for the three-month extension of time fee.

☐ A payment by credit card in the amount of \$_____ (Form PTO-2038 is attached).

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925 (BRINKS HOFER GILSON & LIONE).

Respectfully submitted,

January 26, 2010

Date



Heidi A. Dare (Reg. No. 50,775)